

REMARKS/ARGUMENTS

Applicants again gratefully acknowledge the Examiner's allowance of claims 1-6.

Further in the Office Action, the Examiner has again rejected the only remaining independent claim in the application, i.e., claim 7, based on Yoshisue in view of kido and further in view of Jones. The Examiner is now providing a different interpretation of Jones for disclosing an outer side surface of a shank roller-pushing part and a marking line on this interpreted outer side surface. The Examiner is interpreting Jones as disclosing "an outer side surface" in Figure 20A, which is the surface facing toward the viewer or the opposing surface to this surface. The Examiner then further interprets Jones as disclosing a "marking line", which is the upper or lower edge of the curved end of the slot which intersects with the surface facing toward the viewer or the opposing surface.

First, Applicants respectfully submit Jones does not disclose a "marking line" on an "outer side surface" of a shank roller-pushing part, as claimed by Applicants. The Examiner's interpreted "marking line" in Jones is on the top or bottom surface of any interpreted shank roller-pushing part. Fig. 20A is a top view of the repetition lever, and thus, any surface facing toward the viewer or opposing the viewer in Fig. 20A must be a top or bottom surface. Thus, Applicants respectfully submit that the Examiner's interpreted "marking line" of Jones cannot disclose Applicants' claimed marking line on an outer side surface of the shank roller-pushing part.

Secondly, Applicants respectfully submit that even if in any way the Examiner can interpret the top or bottom surface of Jones' shank roller-pushing part as a "side" surface of the shank roller-pushing part, any "marking line" on this top or bottom "side" surface cannot then further disclose the additionally claimed feature of Applicants' invention of independent claim 7 where the marking line is a reference in adjusting an angular position of the jack.

Applicants respectfully submit that this “marking line” on the upper or lower “side” surfaces cannot “inherently” be a reference in adjusting an angular position of the jack because this upper or lower edge of the curved end of the slot, i.e., the “marking line”, is invisible from the outside in the left and right side directions. That’s why Applicants’ claim that the marking line is on an outer side surface of the shank roller-pushing part as the reference in adjusting the angular position of the jack. As can be seen in the side view of Figure 4 of Applicants’ application, the shank roller-pushing part 42 has at an outer side surface thereof a marking line 57a as a reference in adjusting an angular position of the jack 5.

However, in order to even more-particularly claim Applicants’ invention, Applicants have amended independent claim 7 to more-particularly define the outer “side” surface, where this outer side surface has the claimed marking line. As now more-particularly claimed, the shank roller-pushing part has at a left and/or a right outer side surface thereof a marking line as a reference in adjusting an angular position of the jack. Applicants respectfully submit that these features of Applicants’ invention are disclosed in at least para. 0027 and Figure 4 of Applicants’ application. Applicants also respectfully submit that even if Jones can be interpreted in any way as disclosing a “marking line” on an “outer side surface” of a shank roller-pushing part, that this “marking line” is not on a left and/or a right outer side surface. Any “marking line” in Jones, as interpreted by the Examiner, is on a top or a bottom outer “side” surface of the shank roller-pushing part, and not on a left and/or a right outer side surface of the shank roller-pushing part. As such, Applicants respectfully submit that amended independent claim 7 is allowable over the cited references.

Further, Applicants respectfully submit that the location of Applicants’ marking line at a left and/or right outer side surface of the shank roller-pushing part is not merely an obvious variation from Jones’ “marking line” on the top or bottom “side” surface the repetition lever. In Applicants’ invention, the marking

line is at a left and/or a right outer side surface of the shank roller-pushing part so that it is visible from the outside transversally. This visibility from the left and right outside allows the marking line to function as the further claimed feature in independent claim 7 as a reference in adjusting an angular position of the jack. Jones' "marking line" (upper or lower edges of the curved end of the slot) is provided where it is, i.e., on the top or bottom surface of the repetition lever, because the improved slot that is extended and angled or stepped is provided for use with the improved hammershank of Figs. 8 through 16. Col. 8, lines 10-16. Therefore, Applicants respectfully submit that Applicants' claimed position for its claimed marking line is not merely an obvious variant of Jones' disclosed position for the argued "marking line." Each is where it is because each has a different purpose, and as such, any "marking line" in Jones cannot "inherently" function as Applicants' claimed reference in adjusting an angular position of the jack.

Therefore, for at least the above reasons, Applicants respectfully submit that even if Yoshisue can be modified by Jones, that the modified Yoshisue reference still does not disclose all of the features of Applicants' invention of amended independent claim 7. Applicants respectfully submit that amended independent claim 7, and claims 8-11 which depend therefrom, are allowable over the cited references.

Applicants respectfully submit that the application is in now condition for allowance with claims 1-11 being allowable. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

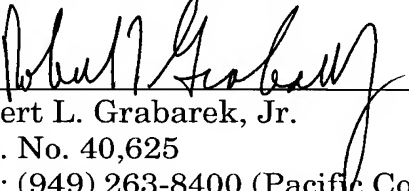
Since the present Office Action is a "Final" Action, Applicants are filing a Request for Continued Examination concurrently with the filing of this Amendment.

If required, this paper should be considered to include a Petition for an Extension of Time sufficient to effect a timely response. Please charge any such fee, any deficiency in fees, or credit any overpayment of fees, to Deposit Account No. 05-1323 (Docket No. 056272.57598US).

Respectfully submitted,

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